

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Junya HIRANO

Application No.: 10/629,684

Confirmation No.: 6551

Filed: July 30, 2003

Art Unit: 3729

For: METHOD FOR CONNECTING ELECTRONIC
PARTS

Examiner: R. K. CHANG

**PETITION TO WITHDRAW HOLDING OF ABANDONMENT
SINCE REPLY WAS TIMELY FILED**

MS Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

During an internal file audit, it was discovered that the USPTO had failed to respond to Applicant's timely filed 'Amendment under 37 CFR 1.111' in the above-identified application. Applicant's representative became aware of this situation only on July 23, 2009.

The Office Action of September 12, 2005 had set a three-month statutory period for response. The responsive Amendment was timely filed, along with a request for a three-month extension of time, on Monday, March 13, 2006. Upon a recent check of PAIR, it was seen that a Notice of Abandonment had allegedly been mailed pertaining to this application on March 24, 2006. Applicant's records show no evidence of having received the allegedly mailed Notice of Abandonment.

This Petition requests withdrawal of the "abandonment status" of the present application, since a responsive Amendment was timely filed on March 13, 2006. Action on the merits of the previously-filed Amendment is likewise solicited.

EVIDENCE

As evidence of the fact that a Reply was timely filed, enclosed herewith is the following:

- a copy of the Amendment filed March 13, 2006, downloaded from PAIR, and showing the OIPE receipt stamp dated "Mar 13 2006."

TERMINAL DISCLAIMER

The present application was filed on or after May 29, 2000. Accordingly, no Terminal Disclaimer is necessary. It is noted that this Petition is being filed promptly after the discovery on July 23, 2009 that this application was wrongly held to be abandoned.

CONCLUSION

It is requested that the abandonment status of the present application be immediately removed so that prosecution may resume with full consideration and entry into the record of the timely-filed responsive Amendment.

If the PTO has any questions regarding the above matters, please contact Applicants' representative, Richard Gallagher, at the telephone number listed below.

It is submitted that no fees are required for filing this Petition, since the error occurred because of a mistake on the part of the U.S. Patent and Trademark Office.

If any fees are determined to be necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account

No. 02-2448 for any additional fee required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

Dated: July 27, 2009

Respectfully submitted,

By 

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Enclosure:

Copy of timely filed response from PAIR.